

In the Indiana Supreme Court

IN THE MATTER OF APPROVAL)	
)	
OF THE ANNUAL MASTER LIST)	Case No. 94S00-0501-MS-19
)	
FOR JURY POOL ASSEMBLY)	
)	
AND JURY RULE REPORTING)	
)	
REQUIREMENTS)	

ORDER APPROVING THE MASTER LIST FOR JURY POOL

ASSEMBLY AND JURY REPORTING REQUIREMENTS

I. Master List for Jury Pool Assembly

By order signed July 1, 2005, to become effective January 1, 2006, Indiana Jury Rule 2 was amended to require that the jury administrators of the trial courts compile the jury pool annually by selecting names from lists approved by the Supreme Court. In conjunction with this amendment, the Supreme Court, the Jury Committee of the Judicial Conference of Indiana, the Division of State Court Administration and the Judicial Technology & Automation Committee (“JTAC”) developed a Master List for Jury Pool Assembly (“Master List”) to provide a broader pool of potential jurors and reduce county mailing and processing costs associated with unusable addresses. Produced by commercially recognized data management technology, the Master List comprises county residents identified in data received from the Indiana Bureau of Motor Vehicles (“BMV”)

and the Department of Revenue (“DOR”) that has been processed to eliminate duplicate information and those ineligible for jury service.

To create the Master List, the BMV provided a current inventory of drivers and ID card holders to the DOR. The DOR merged taxpayer records with BMV records and removed duplicate information through social security number or name matching. After the completion of this process, the list was provided to JTAC to correct obvious data entry errors and remove individuals identified as deceased, too young for jury service or no longer residents of Indiana. JTAC also divided the data into individual county lists.

The Jury Committee and JTAC shall oversee creation of the Master List using this process annually and certify the Master List to the Director of the Division of State Court Administration by September 1 of each year. The Director shall advise the Supreme Court of the completion of the annual Master List.

II. Jury Pool Assembly Reporting Requirement

In 2006, use of the Master List is optional. The Supreme Court also has approved compiling the jury pool from the voter registration lists for a county, supplemented with at least one of the following sources: BMV records, property tax records, telephone directories, and utility customer lists. (These sources also have been approved to supplement the Master List, if desired.) Counties that choose not to use the Master List in compiling their jury pool, however, must identify what sources will be used to the Indiana Judicial Center by November 30, 2005 using the reporting form attached as Appendix 1.

Counties are prohibited from using the Master List for any other purpose or from disseminating the data contained therein to any other person, entity or source.

III. Jury Orientation Reporting Requirement

Jury Rule 11 requires that trial courts provide prospective jurors with orientation prior to selection so that jurors may understand their role in the process. The Judicial Conference of Indiana has adopted orientation standards (Appendix 2) requiring a two-part presentation that includes both the specific content outlined in paragraph A of the Indiana Jury Orientation Program Minimum Standards or the use of an approved video, and information personal to the operations of the advising court. Using the reporting form attached as Appendix 1, the trial courts must identify how they are conforming to the Jury Orientation Program Minimum Standards.

IT IS, THEREFORE, ORDERED by this Court that the Master List for Jury Assembly Process shall be compiled as described herein and certified to the Director of the Division of State Court Administration for by September 1 of each year. The Director shall report to the Supreme Court the completion of the annual Master List.

IT IS FURTHER ORDERED that in 2006, the trial courts may use the Master List for Jury Assembly Process as the source from which to compile their jury pool, or they may compile their jury pool from the voter registration lists for a county, supplemented with at least one of the following sources: BMV records, property tax records, telephone directories, and utility customer lists. All trial courts must identify and report what sources will be used for jury pool assembly, using the reporting form attached as Appendix 1. The reporting form certifying what sources are used for jury pool assembly must be returned to the Indiana Judicial Center by November 30, 2005.

IT IS FURTHER ORDERED that the trial courts must identify what method is being used to comply with the Jury Orientation Program Minimum Standards adopted by

the Judicial Conference under Jury Rule 11. The reporting form certifying what method is used for jury orientation must be returned to the Indiana Judicial Center by November 30, 2005.

The Clerk of this Court is directed to forward a copy of this Order to the clerk of each circuit court in the state of Indiana; each judge of record; the Indiana Judicial Center; the Chair of the Indiana Judicial Center Jury Committee; and the Division of State Court Administration.

Each clerk of each circuit court is directed to provide copies of and bring this Order and Appendixes to the attention of all jury administrators within their respective courts.

DONE at Indianapolis, Indiana, this ____ day of October, 2005

Randall T. Shepard
Chief Justice of Indiana

m

**ANNUAL TRIAL COURT
JURY POOL AND JURY ORIENTATION REPORT
For Calendar Year _____**

This report is submitted pursuant to Supreme Court Order # _____ dated _____.

Judge: _____ Court: _____

(Type Name)

Jury Administrator: _____ Telephone Number: _____

Prepared by: _____ Jury Administrator's Email: _____

Jury Administrator's Address: (if different from Court Address) _____

Jury Pool: During the calendar year of _____, this court will: use the following list(s) to form the jury pool in compliance with Jury Rule 2:

- ☐ Master List created by Jury Pool Project
☐ Optional: Supplemented with _____

OR

- ☐ Voter Registration
plus
☐ Bureau of Motor Vehicles records
☐ Property tax records
☐ Telephone directories
☐ Utility customers
☐ Other: _____

Jury Orientation: During the calendar year of _____, this court will: use the following method for presenting jury orientation to comply with the Indiana Jury Orientation Program Minimum Standards adopted by the Judicial Conference under Jury Rule 11:

- ☐ Indiana Jury Service: Duty, Privilege, Honor video/DVD
☐ Other: _____

I hereby certify that the foregoing information is true and correct.

Judge (Signature)

Date

Please return your completed form **by November 15, 2005** to the Indiana Judicial Center, Attention: Michelle Goodman, 115 W. Washington Street, Suite 1075, Indianapolis, Indiana, 46204 or via fax at (317) 233-3367.

Appendix 2

INDIANA JURY ORIENTATION PROGRAM MINIMUM STANDARDS

Jury Rule 11 requires that trial courts provide prospective jurors with orientation prior to selection so that jurors may understand their role in the process. The rule further provides that each orientation shall provide a standard presentation recommended by the Judicial Conference of Indiana. The Jury Committee of the Judicial Conference of Indiana has established a sub-committee to address issues of jury orientation. Based on the recommendation of the sub-committee, the Judicial Conference of Indiana adopts the following content requirements for standard jury orientation programs.

The orientation of prospective jurors shall include both a standard presentation (which may be by an approved video) and a personal presentation preferably by the judge or if necessary, the judge's designee. The orientation may be supplemented by written information. The standard presentation shall consist of either (a) the jury orientation video approved by the Judicial Conference of Indiana in accordance with paragraph A, or (b) a personal presentation in accordance with paragraph A. Paragraph B below recommends information for inclusion in the personal presentation by the judge or the judge's designee. The supplemental written information may include matters already presented in the video or personal presentation.

A. REQUIREMENTS FOR STANDARD PRESENTATION

Length:

Brevity is encouraged. The length of standard video orientation programs should not exceed approximately 15 minutes.

Welcome and History:

Each orientation should include a brief welcome in which the following matters are addressed:

Acknowledge the often substantial inconvenience and hardship of jury duty but emphasize the personal satisfaction that often results from participation in the justice system and fulfilling one's duty as a citizen, and the importance of the significant constitutional rights of all people that are preserved through the right of trial by jury.

A brief history of the right of trial by jury and its significance to our legal system

What to Expect:

The presentation should generally outline the sequence of events ahead for the jurors, preferably noting each of the following:

Assembly of prospective jurors before the court – prospective jurors are selected on a random basis from voter registration lists and other sources of names

Oath to prospective jurors

Judge will introduce you to the case – tell you what it about

Jury selection process

Oath to final jury

Preliminary Instructions from the judge

Description of Jury Selection:

It is recommended that the presentation include a description of the term "voir dire," a general explanation that jurors will be asked questions and the process of excusing some jurors.

Juror Responsibilities:

Jurors make their decision based upon the evidence presented in the Courtroom and admitted by the Court. Therefore they must pay very close attention to the evidence as it is presented;

Jurors are not investigators and are not permitted to seek out information about the case on their own and must not read, watch, or listen to any media accounts about the case;

Jurors must not talk to *anyone* about the case before it is over, except that jurors may discuss the evidence among themselves in the jury room during recesses from trial when all are present. But jurors must reserve judgment about the outcome of the case until after all the evidence is presented and final deliberations begin;

Jurors must listen carefully to and follow the instructions regarding the law, which will be given by the judge; and,

Jurors are required to arrive at a fair and impartial verdict fairly determining the dispute at issue in the case.

This section may also include a suggestion that the jurors should display the same attentiveness and concentration that they would want a juror to apply if their own case were on trial today.

B. INFORMATION RECOMMENDED FOR INCLUSION IN THE PERSONAL PRESENTATION BY THE JUDGE AND/OR THE JUDGE'S DESIGNEE

Introduction of judge, court staff, attorneys and parties

Courtroom policies

dress code

cell phones, PDAs, pagers, etc.

breaks and rest periods

meals

parking arrangements

expected time requirements

evening separation

Juror compensation

"One day One trial" rule

Exemption period

What to do if excused from service

In case of emergency (fire alarms, emergency calls from home, etc.)

Reemphasis of items in standard video, if desired by judge

Adopted: December 6, 2002

Revised: September 13, 2005